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20 CHIMALA DESIGN, INC.

21 UNITED STATES DISTRICT COURT

22 FOR THE NORTHERN DISTRICT OF CALIFORNIA

23 SAN JOSE DIVISION

24 LEVI STRAUSS & CO.,

25 Case No. C 08-02623 JF

26 Plaintiff,

27 **SECOND STIPULATION TO
CONTINUE CASE MANAGEMENT
CONFERENCE AND [PROPOSED]
ORDER**

28 v.

CHIMALA DESIGN, INC.,

29 Defendant.

Date: October 24, 2008
Time: 10:30 a.m.
Courtroom: 3, 5th Floor
Hon. Jeremy Fogel

30 By order dated September 19, 2008, this Court continued the Initial Case Management
31 Conference in this action to October 24, 2008. In light of ongoing settlement discussion, the parties
32 hereby request that the conference be further continued for an additional four weeks, until November
33 21, 2008, or as soon as possible thereafter.

34 The parties have been engaged in settlement discussions since the complaint was filed.

1 Progress has been made and the parties believe that this dispute can be resolved without the need for
2 litigation, but additional time is required to finalize the terms of a settlement. The parties remain
3 hopeful that a settlement can be finalized in the near future, thus, avoiding any need to expend the
4 parties' or the Court's resources on litigation of this matter.

5 Accordingly, the parties respectfully request that the Initial Case Management Conference
6 currently set for October 24, 2008, be continued to November 21, 2008, in order to give the parties the
7 opportunity to complete their settlement discussions. The parties also request that the deadline for
8 filing of initial disclosures be reset to coincide with the deadline for filing of the joint Case
9 Management Conference statement seven days prior to the Initial Case Management Conference.

10 DATED: October 15, 2008

11 Respectfully submitted,

12 TOWNSEND AND TOWNSEND AND CREW LLP

13 By: /s/ Raquel Pacheco
14 Raquel Pacheco
15 Attorneys for Plaintiff
LEVI STRAUSS & CO.

16 DATED: October 15, 2008

17 By: /s/ Fredric H. Aaron

18 Fredric H. Aaron
19 Attorneys for Defendant
CHIMALA DESIGN, INC.

1 [PROPOSED] ORDER
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GOOD CAUSE APPEARING THEREFOR, it is hereby ordered that the parties' stipulated
request to continue the Initial Case Management Conference is granted. The Initial Case Management
Conference is hereby scheduled for November 21, 2008.

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7 Dated: 10/16/08, 2008
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The Honorable Jeremy Fogel
United States District Court Judge

GENERAL ORDER NO. 45 ATTESTATION

Pursuant to General Order No. 45, Section X(B) regarding signatures I, Raquel Pacheco attest that concurrence in the filing of this documents has been obtained from Fredric H. Aaron, counsel for defendant.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 15th day of October, 2008 at San Francisco, California.

/s/ Raquel Pacheco
Raquel Pacheco

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